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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

PATRICIA JONES,)	Case No.: C-05-3539-EMC
)	
Plaintiff,)	
)	STIPULATION AND [PROPOSED]
vs.)	ORDER EXTENDING DEADLINES
)	
THYSSENKRUPP ELEVATOR)	
CORPORATION, a California business entity,)	
form unknown, LISA BRADLEY, an)	
individual, and DOES 1-50,)	
)	
Defendants.)	

Plaintiff and Defendants respectfully request a Court order: (1) extending the deadlines to hold an ADR phone conference, complete initial disclosures or state objections in Rule 26(f)

1 Report, file and serve the Case Management Statement, and file and serve the Rule 26(f)
2 Report; and (2) re-setting the Case Management Conference in this matter.

3 The current deadline is December 28, 2005, and the current CMC is set for January 4,
4 2006 at 1:30 p.m. The reason for the stipulated request to enlarge time is that the Court
5 currently has under submission various Motions. Depending on the Court's rulings on the
6 Motions, this matter may be remanded to State Court.

7 The parties believe that it is in the interests of economy and efficiency to extend the
8 various deadlines in this matter in order to allow the Court to decide the Motions prior to those
9 items coming due. At this time, the parties are unaware of precisely which claims and which
10 defendants are the subject of the instant litigation.

11 Should the Court remand the matter, any and all Federal court deadlines would thereafter
12 be inapplicable and moot, and the case would become subject to California procedural rules,
13 rather than Federal procedural rules. The parties wish to avoid any unnecessary effort and
14 expense connected with making the initial disclosures and complying with the other related
15 requirements, in the event that the Court decides to remand this matter back to State court. (See
16 Declaration of Alan B. Bayer in Support.)

17 Therefore, in light of the present procedural status of this case, the parties hereby
18 stipulate and respectfully request that the Court extend the deadlines set forth in the September
19 1, 2005 Order Setting Initial Case Management Conference as follows:

20 1. The events currently scheduled to be completed by December 28, 2005 shall be
21 completed by a date that is 14 days after entry of any Order denying the Motion to Remand.

22 2. The CMC in this matter, currently scheduled for January 4, 2006 shall be continued
23 ~~to a date that is 21 days after entry of any Order denying the Motion to Remand.~~
~~the next Wednesday following~~

24 ///

25 ///

26 ///

27 ///

1 This schedule would allow the parties ample time to meet and confer and prepare the necessary
2 documents if the case is maintained in Federal Court.

3
4 IT IS SO STIPULATED.

5
6 Dated: December 15, 2005

7
8 CARTER, CARTER & FRIES

BAYER & BORLASE

9
10 By: /s/Michelle Q. Carter
Michelle Q. Carter
Attorneys for Defendants

By: /s/Alan B. Bayer
Alan B. Bayer
Attorneys for Plaintiff

11
12 PURSUANT TO STIPULATION, IT IS SO ORDERED.

13
14
15
16 Dated: 12/16/05

17
18 The Hon. E. M. Chen
U.S. Magistrate Judge
Northern District of California

